

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

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MICHAEL GREENE #251997,

Plaintiff,

Case No. 2:16-CV-44

v.

HON. GORDON J. QUIST

R. MILLER, et al.,

Defendants.

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**ORDER ADOPTING**  
**REPORT AND RECOMMENDATION**

The Court has reviewed Magistrate Judge Timothy Greeley's October 24, 2016 Report and Recommendation recommending that Defendants' motion for summary judgment based on Plaintiff's failure to exhaust his administrative remedies be denied. The Report and Recommendation was duly served on the parties on October 24, 2016. No objections have been filed pursuant to 28 U.S.C. § 636(b).

**THEREFORE, IT IS ORDERED** that the October 24, 2016, 2016 Report and Recommendation (ECF No. 20) is approved and adopted as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Defendants' Motion for Summary Judgment based on Plaintiff's failure to exhaust administrative remedies (ECF No. 10) is **DENIED**. Defendants have failed to establish that Plaintiff failed to exhaust.

Dated: November 10, 2016

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/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE